

AMENDMENT UNDER 37 C.F.R. § 1.116  
APPLICATION NO. 09/556,517  
ATTORNEY DOCKET NO. Q58755

### REMARKS

#### General remarks.

Claims 16-23, 25-27, and 86-97 are all the claims pending in the application. Applicant respectfully thanks the Examiner for indicating the allowance of claims 21-23, 26, 27, and 86-97. The Examiner also indicated the allowability of claims 17 and 18, if appropriately rewritten in independent form. The examiner rejected only claims 16, 19, 20, and 25 as being anticipated by Joubert.

#### The prior art rejection.

##### *Claim 16*

Claim 16 stands finally rejected under 35 U.S.C. § 102 as being anticipated by Joubert. Claim 16 requires:

network communications means which can connect to a communications network and has a plurality of IP addresses representing a plurality of locations on the network ...

Joubert does not meet this requirement.

In making this rejection, the Examiner asserted that Joubert meets this requirement by virtue of its teaching of the router 13 in Fig. 1, and the accompanying text in columns 5 and 6 of the description. Fig. 1 of Joubert shows a router 13 with a routing table that matches IP addresses of network participants with their corresponding MAC addresses. The Examiner is interpreting the router 13 as "having" the three IP addresses shown in the routing table.

Although Fig. 1 shows router 13 enclosing the three IP addresses IP1, IP2, and IPC6, it is not technically accurate to say that router 13 "has" three IP addresses. In the art, it is well accepted and universally understood that "having" an IP address and merely "storing" an IP address are two very different things. As the Examiner will appreciate, router 13 does "have" an IP address of its own. This way, it can receive various control messages and routing updates

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messages that may be addressed to it. It can also perform such functions as ARP and proxy ARP, and other functions that require the router to have its own IP address.

Suppose, for example, client machine 10 in Joubert initializes upon startup, and seeks to send a packet outside the LAN 4 to client machine 5 at IP address IPC1. The client machine 10 would need first to find out the MAC of router 13, which functions as its next-hop router. Client machine 10 typically already knows the IP address of the router 13 (although the router's IP address is not shown in Fig. 1), and so sends an ARP request message to the router 13 using the router's IP address. The router responds with its own MAC address. The packet for machine 5 is then sent out with the destination IP address of IPC1, but the destination MAC address of router 13's network card.

If router 13 did not "have" its own IP address, it could not function as a router for the stations on LAN 4. Router 13 therefore "has" its own unique IP address, and the other IP addresses shown inside the box for router 13 are not IP addresses that the router "has". These are IP addresses that the router "stores" only.

By contrast, in claim 16, it is required that the apparatus "has a plurality of IP addresses representing a plurality of locations on the network". The Examiner's interpretation of Joubert does not meet this requirement because the router 13 lacks this requirement, as it would be understood in the art. Applicant therefore respectfully requests that this rejection be withdrawn with respect to claim 16.

In fulfilling the duty of candor to the USPTO, however, it must be pointed out that Joubert mentions, at column 2, lines 33-35, that "several different IP addresses can correspond to the same MAC address, making it possible to see the same physical machine as several distinct virtual machines." Even this teaching, however, fails to meet the requirement of claim 16 because such a plurality of IP addresses do not represent a plurality of locations on the network; instead, they all represent the same location on the network (i.e., the same physical machine).

*Claims 20 and 25.*

Claim 20, as now amended, requires:

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a step of responding to a communications message which is received from a communications network and is addressed to the router at any one of a plurality of predetermined IP addresses of the router

The plurality of IP addresses in Joubert is not predetermined. Furthermore, the router in Joubert does not have a plurality of IP addresses, and therefore cannot reasonably be said to meet requirement for responding to a communications message addressed to the router at one of the plurality of predetermined IP addresses of the router.

Claim 25, as now amended, is substantially similar to claim 20, and the foregoing remarks apply here as well.

For the foregoing reasons, therefore, applicant respectfully requests the Examiner to withdraw this rejection of claims 20 and 25.

Claims indicated as being allowable.

Applicant respectfully thanks the Examiner for indicating the allowability of claims 17 and 18. In view of the foregoing remarks, however, applicant respectfully requests the Examiner now to allow these claims in their present form.

Conclusion and request for telephone interview.

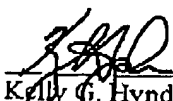
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

20. (Amended two times) A local router relaying method comprising:  
a step of responding to a communications message which is received from a communications network and is addressed to the router at any one of a plurality of predetermined IP addresses of the router; and  
a step of selecting the destination of data included in the communications message [and responds] in response to the network address included in the communications message addressed to any one of the plurality of IP addresses.
25. (Amended two times) A computer readable program recording medium having recorded thereon a computer program used when a computer executes a local router relaying method, the program comprising:  
a step of responding to a communications message which is received from a communications network and is addressed to the router at any one of a plurality of predetermined IP addresses of the router; and  
a step of selecting the destination of the data included in the communications message in response to the IP address included in the communications message addressed to any one of the plurality of IP addresses.